



Tracking Number : EPA-R2-2016-000441

Requester : Mr. Dan M. Telvock

Organization : Investigative Post

Requester Has Account : Yes

Email Address :

dtelvock@investigativepost.org

Phone Number : 716-831-2626

Fax Number : N/A

Address : 487 Main Street
Suite 300

City : Buffalo

State/Province : NY

Zip Code/Postal Code : 14203

Submitted Date : 10/15/2015

Perfected Date : 10/15/2015

Last Assigned Date : 10/23/2015

Fee Limit : \$25.00

Request Track : Complex

Due Date : 11/30/2015

Assigned To : Wanda Calderon (Region 2)

Last Assigned By : Wanda Calderon (Region 2)

Submission Details

Request Handling

Requester Info Available to Yes
the Public :

Request Track : Complex

Fee Category : Commercial

Fee Waiver Requested: No

Fee Waiver Status: N/A

Expedited Processing No

Requested :

Expedited Processing Status : N/A

Request Perfected : Yes

Perfected Date : 10/15/2015

Acknowledgement Sent Date:

Unusual Circumstances ? : Yes

physically distant offices with substantial input

Litigation : No

Request Description

Short Description : N/A

This is a FOIA request for the following: 1. Any and all communications, to include but not limited to emails, between NYSDEC and the EPA regarding radioactive slag in the Niagara County area, and specifically for the following properties: 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. I am seeking these records for the time period of January 2006 to current date. 2. Any and all communications, to include but not limited to emails, between the EPA and Weston Solutions regarding radioactive slag in the Niagara County area, and specifically for the following properties: 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. I am seeking these records for the time period of January 2006 to current date. 3. Any and all communications, to include but not limited to emails, between the EPA and the Niagara County Health Department regarding radioactive slag in the Niagara County area, and specifically for the following properties: 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. I am seeking these records for the time period of January 2006 to current date.

Description Available to the No
Public :Has Description Been Yes
Modified?

0/2000

Per my phone call with Mary Mears, I provide the additional clarification: The EPA can disregard the request for communications with WESTON. But add property owners and the NYSHHealth Department, as cited below. The timeframe remains from January 2006 to current: • I am seeking communications that include memos, letters, emails and meeting notes between the EPA and the NYSDEC regarding properties 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. • I am seeking communications that include memos, letters, emails and meeting notes to property owners regarding the properties 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. • I am

seeking communications that include memos, letters, emails and meeting notes between the EPA and the Niagara County Health Department regarding the properties 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. • I am seeking communications that include memos, letters, emails and meeting notes between the EPA and NYS Health Department regarding the properties 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery.

Attached Supporting Files

Attachments Available to the No
Public :

Attached File	Type	Size (MB)	Remove
<i>Reply from req on modification.msg</i>		0.09	<input type="checkbox"/>

Case File

Direct URL : <http://localhost:8080/foia/action/public/view/request/8099fddb>

Case Details

Type of Case : FOIA	Received Date : 10/15/2015
Fiscal Year : 2016	Clock Initially Started On : 10/15/2015
Total Days Pending : 74	Closed Date : 02/04/2016
Final Disposition : Partial grant/partial denial	

Case Responsive Records

Publish Options : UU - Unredacted - Unreleasable
 RU - Redacted - Unreleasable
 UR - Unredacted - Releasable to the
 General Public

RR - Redacted - Releasable to the General
 Public
 REQ - Release to Requester Only

Filter by Title or Keyword(s) :

SUBMIT















CLEAR












Results 50 Filter by Release Type : --







93 items found, displaying 1 to 50.

1 2

Publish	Title	Type	Exempt	Retention	Action	Detail
RR <input type="checkbox"/>	2006DEC07-Radiological Survey at...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2420e						
RR <input type="checkbox"/>	USEPA-HT_Redacted	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24545						
RR <input type="checkbox"/>	USEPA Holy Trinity Cemetery_Reda...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24536						
RR <input type="checkbox"/>	USEPA Holy Trinity Cemetery (3)_...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24531						
RR <input type="checkbox"/>	USEPA Holy Trinity Cemetery (2)_...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24530						
RR <input type="checkbox"/>	USEPA Assessment at Niagara Fall...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2452f						
RR <input type="checkbox"/>	USEPA Assessment at Niagara Fall...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2452e						
RR <input type="checkbox"/>	USEPA Assessment at Niagara Fall...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2452d						
RR <input type="checkbox"/>	USEPA Assessment at Niagara Fall...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2452b						
RR <input type="checkbox"/>	USEPA Assessment at Niagara Fall...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2452a						
RR <input type="checkbox"/>	survey Rapids Bowling Center_Re...	PDF	N/A	6 year	<input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24529						

Publish	Title	Type	Exempt	Retention	Action	Detail
RR <input checked="" type="checkbox"/>	SI Reports for NY RAD Sites_Reda...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24525						
RR <input checked="" type="checkbox"/>	RE--NIAG_Redacted	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24524						
RR <input checked="" type="checkbox"/>	RE_EPA site investigation - 954...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24523						
RR <input checked="" type="checkbox"/>	Re_EPA Acces to 4924 and 4950 N...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24522						
RR <input checked="" type="checkbox"/>	RE_EPA Acces to 4924 and 4950 N...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24521						
RR <input checked="" type="checkbox"/>	RE USEPA Assessment at Niagara ...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24520						
RR <input checked="" type="checkbox"/>	RE USEPA Assessment at Niagara ...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2451f						
RR <input checked="" type="checkbox"/>	Re USEPA Assessment at Niagara ...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2451e						
RR <input checked="" type="checkbox"/>	RE Niagara Falls Boulevard Site...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2451d						
RR <input checked="" type="checkbox"/>	Please Respond_USEPA-Niagara Fa...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2451c						
RR <input checked="" type="checkbox"/>	NIAGARA-_Redacted	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2451b						
RR <input checked="" type="checkbox"/>	Niagara Falls Parcel Documents_...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2451a						
RR <input checked="" type="checkbox"/>	Niagara Falls Boulevard Radiolog...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24519						
RR <input checked="" type="checkbox"/>	Niagara Falls Boulevard Radiolog...	PDF	N/A	6 year	 <input type="checkbox"/>	

Publish	Title	Type	Exempt	Retention	Action	Detail
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24518						
RR <input type="checkbox"/>	Niagara Falls Boulevard Radiolog...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24517						
RR <input type="checkbox"/>	Niagara Falls Boulevard Property...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24516						
RR <input type="checkbox"/>	Niagara Falls Boulevard Property...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24515						
RR <input type="checkbox"/>	Niagara Falls Boulevard Contact ...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24514						
RR <input type="checkbox"/>	Niagara Falls Boulevard Contact ...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24513						
RR <input type="checkbox"/>	Niagara Falls Boulevard Agency C...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24512						
RR <input type="checkbox"/>	Niagara Falls Blvd. Sampling Eve...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24511						
RR <input type="checkbox"/>	NFB Site_Redacted	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24510						
RR <input type="checkbox"/>	NFB Enforcement Addendum 101915_...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2450d						
RR <input type="checkbox"/>	HOLY-TRI_Redacted	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2450c						
RR <input type="checkbox"/>	Holy Trinity Interview Bellis 09...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2450b						
RR <input type="checkbox"/>	Holy Trinity Contact List 11-12-...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2450a						
RR <input type="checkbox"/>	Holy Trinity Cemetery-District D...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24509						

Publish	Title	Type	Exempt	Retention	Action	Detail
RR <input checked="" type="checkbox"/>	Holy Trinity Cemetery_ 11-12-15 ...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24508						
RR <input checked="" type="checkbox"/>	Fwd_ 9540 Niagara Falls Blvd., N...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24507						
RR <input checked="" type="checkbox"/>	FW Greetings and follow-up_Reda...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24506						
RR <input checked="" type="checkbox"/>	FW 9540 Niagara Falls Blvd Ni...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24505						
RR <input checked="" type="checkbox"/>	EPA site investigation_Redacted	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24504						
RR <input checked="" type="checkbox"/>	EPA Site Investigation_ Niagara...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24214						
RR <input checked="" type="checkbox"/>	APA report for Niagara Falls Blv...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24213						
RR <input checked="" type="checkbox"/>	Access for Air Monitoring_Redact...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24212						
RR <input checked="" type="checkbox"/>	2008FEB21-Field Investigation Re...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24211						
RR <input checked="" type="checkbox"/>	2006OCT13-DOH Correspondence for...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b24210						
RR <input checked="" type="checkbox"/>	2006OCT02-04-Field Investigation...	PDF	N/A	6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b2420f						
UR <input checked="" type="checkbox"/>	9540 NFB	N/A		6 year	 <input type="checkbox"/>	
Direct URL: http://localhost:8080/foia/action/public/view/record/80b241f6						
93 items found, displaying 1 to 50.						
						<div> <div>1</div> <div>2</div> <div></div> <div></div> <div></div> </div>

Case File | Consultations


Consultations

No consultations have been added.

Correspondence to Requester

5 items found, displaying all items.

1

Subject	From	To	Date	Detail	Remove
Final Disposition, Request EPA-R2-2016-000441	Wanda Calderon	Dan M. Telvock	02/04/2016		<input type="checkbox"/>
<p>Attached you will find the EPA Region 2 final determination in connection with the above mentioned FOIA case number.</p> <p>Thanks for your patience.</p> <p>Records were released to the public as a result of this request. You may retrieve these records immediately using the following link: View Records. Over the next 2 hours, these records are also being added to FOIAonline's search pages, further enabling you to retrieve these documents associated with your FOIA request at any time.</p> <p> Final Disposition, Request EPA-R2-2016-000441.pdf, PDF , 0.01 MB (remove)</p>					
Progress	Wanda Calderon	Dan M. Telvock	01/05/2016		<input type="checkbox"/>
<p>01/05/2016 09:20 AM</p> <p>FOIA Request: EPA-R2-2016-000441</p> <p>Hello Mr. Telvock,</p> <p>This is in connection with your FOIA request submitted to the EPA Region 2 office assigned the above case number. I wanted to inform you we are actively processing your request and we should have a final determination issued by the week of January 11, 2016.</p> <p>If you have any questions, please contact me at 212-637-3668. Thank you.</p> <p>Respectfully,</p> <p>Wanda Calderon, FOIA Specialist Public Outreach Branch, Public Affairs Division</p>					
Interim Release, Request EPA-R2-2016-000441	Wanda Calderon	Dan M. Telvock	11/25/2015		<input type="checkbox"/>

EPA-R2-2016-000441 has been approved for an interim release. We continue to search EPA Region 2 files for potentially responsive records. In the meantime, attached you will find those records that were located to date. This is not the Agency's final determination, therefore, not appealable. We will inform you when we have concluded the processing of your FOIA request.

Please feel free to contact Wanda Calderon of my staff at 212-637-3668 for any updates. Thank you for your patience and for contacting EPA.

Respectfully,

/s/

Mary Mears
Deputy Director Public Affairs and Chief Public Outreach Branch
U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)

Records were released to the public as a result of this request. You may retrieve these records immediately using the following link: [View Records](#). Over the next 2 hours, these records are also being added to FOIAonline's search pages, further enabling you to retrieve these documents associated with your FOIA request at any time.

 [Interim Release, Request EPA-R2-2016-000441.pdf](#), PDF, 0.01 MB ([remove](#))

Important follow up communication	Wanda Calderon	Dan M. Telvock	11/05/2015	<input type="checkbox"/>
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11/05/2015 03:01 PM
FOIA Request: EPA-R2-2016-000441

 [Mr. Telvock 0441.pdf](#), PDF, 1.12 MB ([remove](#))

FOIA Request EPA-R2-2016-000441 Submitted	System	Dan M. Telvock	10/15/2015	<input type="checkbox"/>
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This message is to confirm your request submission to the FOIAonline application: [View Request](#). Request information is as follows:

- Tracking Number: EPA-R2-2016-000441
- Requester Name: Dan Telvock
- Date Submitted: 10/15/2015
- Request Status: Submitted
- Description: This is a FOIA request for the following: 1. Any and all communications, to include but not limited to emails, between NYSDEC and the EPA regarding radioactive slag in the Niagara County area, and specifically for the following properties: 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. I am seeking these records for the time period of January 2006 to current date. 2. Any and all communications, to include but not limited to emails, between the EPA and Weston Solutions regarding radioactive slag in the Niagara County area, and specifically for the following properties: 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. I am seeking these records for the time period of January 2006 to current date. 3. Any and all communications, to include but not limited to emails, between the EPA and the Niagara County Health Department regarding radioactive slag in the Niagara County area, and specifically for the following properties: 738 Upper Mountain Road, Lewiston; 9540 Niagara Falls Boulevard, NF; and 5401 Robert Avenue, also known as Holy Trinity Cemetery. I am seeking these records for the time period of January 2006 to current date.

5 items found, displaying all items.

1

Other Correspondence

23 items found, displaying 1 to 5.

1 2 3 4 5 ☐

Attached File	Type	Size (MB)	Remove
Eric Daly EM seeking attorney assigned.msg		0.10	<input type="checkbox"/>
Paul Giardina NO RECS input.msg		0.07	<input type="checkbox"/>

Attached File	Type	Size (MB)	Remove
Nick asked to review his input.msg		0.16	<input type="checkbox"/>
RE Telvock FOIA Production .msg		0.03	<input type="checkbox"/>
Final Disposition, Request EPA-R2-2016-000441.pdf	PDF	0.01	<input type="checkbox"/>
23 items found, displaying 1 to 5.			<div>12345</div>

Case File | Appeals

Appeals

No appeals have been filed.

Invoice

Total Amount Billed Which Has Been Sent To Requester: \$0.00
Invoice will not be stored until close out process has begun.

Payments

Total Amount Owed: \$0.00




No payments to display.

Restricted Materials






No restricted materials have been added.

Entries							
Date	User Name	Charge Type	Hours/ Quantity	Billable?	Total	Action	
10/21/2015	Wanda Calderon	Review	1.00	Yes	\$28.00		<input type="checkbox"/>
10/21/2015	Wanda Calderon	Search	2.00	Yes	\$56.00		<input type="checkbox"/>
Total					\$84.00		
Invoice Amount					\$84.00		

Assigned Tasks

Outcome	Assigned To	Assigned By	Date Sent	Due Date	Closed Date	Notification	Detail
Completed	Wanda Calderon	Mary Mears	02/04/2016	02/04/2016	02/04/2016		
<i>Description</i> : Final Disposition Notice <i>Comments</i> : N/A							
Approve	Mary Mears	Wanda Calderon	02/04/2016	02/04/2016	02/04/2016		
<i>Description</i> : Case File Review <i>Comments</i> : N/A							
Completed	Wanda Calderon	Mary Mears	11/25/2015	11/25/2015	11/25/2015		
<i>Description</i> : Interim Release Notice <i>Comments</i> : N/A							
Approve	Mary Mears	Wanda Calderon	11/25/2015	11/25/2015	11/25/2015		
<i>Description</i> : Interim Release Case File Review <i>Comments</i> : N/A							

Comments (4)

Date / Time	User Name	 Edit	Remove	Detail
11/25/2015 01:08 PM	Wanda Calderon		<input type="checkbox"/>	
Margo Ludmer OK 1st interim release - files found in my R drive				
11/06/2015 08:43 AM	Wanda Calderon		<input type="checkbox"/>	
the clock started 11/5th				
10/15/2015 01:11 PM	Wanda Calderon		<input type="checkbox"/>	
joe rotola mike b. and paul g contacted as per ER referral				
10/15/2015 01:07 PM	Wanda Calderon		<input type="checkbox"/>	
contacted Elias for guidance				

Assigned Reviewers				
Review Outcome	Review Order	Assigned Reviewer	Review Date	Action
Approved	1	Mary Mears	02/04/2016	